
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

MELVIN WILSON,

Plaintiff,

*versus*USP LEAVENWORTH, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:09-CV-150

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORTS AND RECOMMENDATIONS**

Plaintiff Melvin Wilson, a federal prisoner, proceeding *pro se* and *in forma pauperis*, filed this civil action pursuant to *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), and the Federal Tort Claims Act (FTCA).

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted two Reports and Recommendations of United States Magistrate Judge. The magistrate judge recommends dismissing the action pursuant to 28 U.S.C. § 1915(e).

The court has received and considered the Reports and Recommendations of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Reports and Recommendations.


The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes

the objections are without merit. The FTCA and *Bivens* claims are barred by the applicable statutes of limitations.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the reports of the magistrate judge are **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED at Beaumont, Texas, this 16th day of December, 2010.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE